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7 IN THE COURT OF APPEALS  
8 OF THE STATE OF WASHINGTON  
9 DIVISION II

10 STATE OF WASHINGTON,

11 Respondent,

NO. 46365-2

12 v.

STATEMENT OF ADDITIONAL  
AUTHORITY

13 RANDALL SMITH,

14 Appellants.  
15

16 Pursuant to RAP 10.8,<sup>1</sup> Respondent, State of Washington, respectfully submits the  
17 following as additional authority:

18 **ISSUE 1** Has defendant failed to prove the search warrant for evidence of  
19 identity theft inside his fraudulently rented hotel room was unlawfully  
20 based on plain view observations since they were lawfully made by officers  
that entered to accept custody from bail agents who detained him in the  
room on an active arrest warrant?

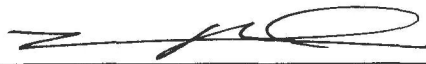
21 c. The officers lawfully entered the room to take defendant into  
22 custody on a valid arrest warrant.

23  
24  
25 <sup>1</sup> "A party ... may file a statement of additional authorities. The statement should not contain argument, but should identify the issue for which each authority is offered. The statement must be served and filed prior to the filing of the decision on the merits or, if there is a motion for reconsideration, prior to the filing of the decision on the motion."

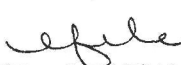
1 State v. Z.U.E., 89894-4, pg. 16 (July 16, 2015): " [w]e decline to strictly  
2 apply the two-pronged *Aguilar/Spinelli* analysis but we recognize the two  
3 factors' relevance and usefulness to the reliability analysis."

4 RESPECTFULLY SUBMITTED, July 20, 2015.

6 MARK LINDQUIST  
7 Pierce County  
8 Prosecuting Attorney

9   
10 JASON RUYF  
11 Deputy Prosecuting Attorney  
12 WSB # 38725

11 Certificate of Service:

12 The undersigned certifies that on this day she delivered by  U.S. mail or ~~ABC LMI~~  
13 delivery to the attorney of record for the appellant and appellant c/o his or her attorney  
14 or to the attorney of record for the respondent and respondent c/o his or her attorney true  
15 and correct copies of the document to which this certificate is attached. This statement is  
16 certified to be true and correct under penalty of perjury of the laws of the State of Washington.  
17 Signed at Tacoma, Washington, on the date below.

14 7/21/15

14 Date Signature 

## PIERCE COUNTY PROSECUTOR

**July 21, 2015 - 7:14 AM**

### Transmittal Letter

Document Uploaded: 3-463652-Statement of Additional Authorities.pdf

Case Name: State v. Randall Smith

Court of Appeals Case Number: 46365-2

**Is this a Personal Restraint Petition?** ☐ Yes ☒ No

### The document being Filed is:

- ☐ Designation of Clerk's Papers ☐ Supplemental Designation of Clerk's Papers
- ☐ Statement of Arrangements
- ☐ Motion: \_\_\_\_
- ☐ Answer/Reply to Motion: \_\_\_\_
- ☐ Brief: \_\_\_\_
- ☒ Statement of Additional Authorities
- ☐ Cost Bill
- ☐ Objection to Cost Bill
- ☐ Affidavit
- ☐ Letter
- ☐ Copy of Verbatim Report of Proceedings - No. of Volumes: \_\_\_\_  
Hearing Date(s): \_\_\_\_
- ☐ Personal Restraint Petition (PRP)
- ☐ Response to Personal Restraint Petition
- ☐ Reply to Response to Personal Restraint Petition
- ☐ Petition for Review (PRV)
- ☐ Other: \_\_\_\_

### Comments:

No Comments were entered.

Sender Name: Heather M Johnson - Email: [hjohns2@co.pierce.wa.us](mailto:hjohns2@co.pierce.wa.us)

A copy of this document has been emailed to the following addresses:

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